

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

Your Committee on Public Policy and Veterans Affairs, to which was referred Senate Bill 568, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 2, line 36, delete ":".
- 2 Page 2, line 37, delete "(1)".
- 3 Page 2, line 37, delete "center; or" and insert "**center.**".
- 4 Page 2, run in lines 36 through 37.
- 5 Page 2, delete lines 38 through 40.
- 6 Page 2, between lines 40 and 41, begin a new paragraph and insert:
- 7 "SECTION 3. IC 16-18-2-1.5 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2005]: **Sec. 1.5. (a) "Abortion clinic", for**
- 10 **purposes of IC 16-21-2, means a freestanding entity that performs**
- 11 **surgical abortion procedures.**
- 12 **(b) The term does not include the following:**
- 13 **(1) A hospital that is licensed as a hospital under IC 16-21-2.**
- 14 **(2) An ambulatory outpatient surgical center that is licensed**
- 15 **as an ambulatory outpatient surgical center under IC 16-21-2.**

(3) A physician's office as long as the surgical procedures performed at the physician's office are not primarily surgical abortion procedures."

Page 3, line 12, after "centers," insert "**abortion clinics**,".

Page 3, line 27, after "centers," insert "**abortion clinics**,".

Page 3, line 36, delete "and".

Page 3, line 37, delete "." and insert "; **and**

(4) abortion clinics."

Page 3, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 7. IC 16-21-2-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 2.5. (a) The state department shall adopt rules under IC 4-22-2 to do the following concerning birthing centers and abortion clinics:**

(1) Establish minimum license qualifications.

(2) Establish the following requirements:

(A) Sanitation standards.

(B) Staff qualifications.

(C) Necessary emergency equipment.

(D) Procedures to provide emergency care.

(E) Quality assurance standards.

(F) Infection control.

(3) Prescribe the operating policies, supervision, and maintenance of medical records.

(4) Establish procedures for the issuance, renewal, denial, and revocation of licenses under this chapter. The rules adopted under this subsection must address the following:

(A) The form and content of the license.

(B) The collection of an annual license fee.

(5) Prescribe the procedures and standards for inspections.

(b) A person who knowingly or intentionally:

(1) operates a birthing center or an abortion clinic that is not licensed under this chapter; or

(2) advertises the operation of a birthing center or an abortion clinic that is not licensed under this chapter;

commits a Class A misdemeanor."

Page 4, line 4, after "center," insert "**an abortion clinic**,".

Page 4, line 12, after "center," insert "**an abortion clinic**,".

- 1 Page 4, line 28, after "center," insert "**an abortion clinic,**".
 - 2 Page 4, line 38, after "center," insert "**an abortion clinic,**".
 - 3 Page 5, line 6, after "center," insert "**an abortion clinic,**".
 - 4 Page 5, line 9, after "surgical center," insert "**an abortion clinic,**".
 - 5 Page 5, line 17, delete "IC 16-21-2-2, as amended" and insert
 - 6 "**IC 16-21-2-2.5, as added**".
 - 7 Page 5, between lines 24 and 25, begin a new paragraph and insert:
 - 8 "SECTION 14. [EFFECTIVE UPON PASSAGE] **(a) As used in**
 - 9 **this SECTION, "state department" refers to the state department**
 - 10 **of health.**
 - 11 **(b) The state department shall, not later than December 31,**
 - 12 **2005, establish licensing procedures and requirements for the**
 - 13 **licensure of abortion clinics as required under IC 16-21-2-2.5, as**
 - 14 **added by this act.**
 - 15 **(c) An abortion clinic shall, not later than July 1, 2006:**
 - 16 **(1) obtain the license required; and**
 - 17 **(2) meet the requirements established;**
 - 18 **by the state department under IC 16-21-2-2.5, as added by this act.**
 - 19 **(d) This SECTION expires December 31, 2006."**
 - 20 Renumber all SECTIONS consecutively.
- (Reference is to SB 568 as printed February 25, 2005.)

and when so amended that said bill do pass.

Representative Alderman